

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

WENDELL THOMAS MONROE,)
)
Plaintiff,)
)
vs.) **1:05-cv-00870-VEH-JEO**
)
)
CALHOUN COUNTY COMMISSION,)
et al.,)
)
Defendants.)

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on January 15, 2008, recommending that the defendants' special report be treated as a motion for summary judgment and, as such, that it be granted and this action be dismissed with prejudice. The plaintiff filed objections on February 1, 2008.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and hereby is **ADOPTED** and his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for

summary judgment is due to be **GRANTED** and this action is due to be **DISMISSED WITH PREJUDICE**. A Final Judgment will be entered.

DONE this the 11th day of February, 2008.


Virginia Emerson Hopkins
VIRGINIA EMERSON HOPKINS
United States District Judge